

REMARKS

The amendments above and the remarks below are in response to an Office Action mailed on November 21, 2008. This paper is filed in conjunction with an accompanying Form PTO/SB/64 Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b). Applicants hereby respectfully request that the Office reinstate the unintentionally abandoned application, and reexamine and reconsider the application and the claims pending in it.

Claims 1, 8, 11, 13, 14, 26 and 27 were pending for examination in the previous Office Action. In that Office Action, claims 26-28 were rejected as being allegedly anticipated by United States Patent No. 5,170,802 to Mehra. Claims 1, 11, 13, 14, 26 and 27 were rejected for alleged nonstatutory obviousness-type double patenting in view of certain claims of U.S. Patent No. 7,044,967. Claim 8 was objected to as depending from a rejected claim, but with allowable subject matter indicated.

Claim 1 of the application is amended in this paper, claims 26 and 27 are cancelled, and an accompanying terminal disclaimer is submitted. Applicants believe that all outstanding rejections have been overcome by these amendments and the terminal disclaimer. The Office's reexamination, reconsideration, and allowance of the pending claims and the application as a whole are now respectfully requested.

Claim Amendment

A single minor amendment is made to claim 1, in which "effecting" is changed to "modifying" in the preamble of the claim. No change is intended to the substantive scope of the claim. The amendment is made simply because the new version is deemed better grammatically by the undersigned.

Rejected claims 26 and 27 are cancelled from the application.

Terminal Disclaimer

Applicants submit with this paper a Form PTO/SB/26 Terminal Disclaimer to Obviate a Double Patenting Rejection over a "Prior" Patent directed to United States Patent No. 7,044,967, which the Examiner cited against the current claims.

Conclusion

In view of the remarks and amendments presented above, it is respectfully submitted that the pending Claims 1, 8, 11, 13 and 14 are now in condition for allowance, and the Office's reexamination, reconsideration and allowance of those claims and the application as a whole are now respectfully requested.

The Examiner is further invited to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

The Commissioner is hereby authorized to charge any required fees, including the fees required for the accompanying petition to revive the unintentionally abandoned application and for the accompanying terminal disclaimer, and any other fees due under the statute and the rules, including any petition for extension of time, or to credit any overpayment, to Deposit Account No. 50-1225.

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